

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 2: Administration of Child Welfare	Effective Date: TBD
	Section X: Confidentiality of Background Check Data	Version: 3

POLICY

1. Indiana Department of Child Services (DCS) employees will only access the reports when acting in an official capacity, i.e., they are assigned to the case; are supervising or providing administrative assistance to someone who is assigned to the case; etc.
2. DCS will share National Criminal History reports with:
 - a. officials of the court (“officials of the court” does not include non-attorneys, CASAs or Guardian ad Litems (GALs); and
 - b. law enforcement; and
 - c. DCS staff.
3. In accordance with Indiana State Police procedure, DCS will observe the following security measures regarding National Criminal History or Indiana State Juvenile History reports:
 - a. document any access (viewing, photocopying, etc.) by an authorized individual; and
 - b. store reports in a secure area
4. DCS employees who violate this policy will be subject to disciplinary action, up to and including dismissal.

PROCEDURE

FOR NATIONAL CRIMINAL HISTORY AND INDIANA STATE JUVENILE HISTORY REPORTS:

The DCS child welfare worker will:

- Make an entry on the [Tracking Access to National Criminal History and Juvenile History Reports](#) form, noting date of and reason for access, each time he/she accesses (views, copies, transports) such reports.
- Make an entry on the [Tracking Access to National Criminal History and Juvenile History Reports](#) form anytime an authorized individual (see Policy Statement #2) requests to view or receive a copy of such reports.
- Store such reports in a central, locked filing cabinet. No copies of these reports will be stored in investigation or case files.
- Upon receipt of a subpoena for a background check report, forward a copy to the court, not directly to the individual or entity that submitted the subpoena.

The local DCS office director will:

- Be prepared to provide a copy of the tracking sheet upon request by DCS central office for the purpose of Indiana State Police (ISP) or Federal Bureau of Investigations (FBI) auditing.

FOR ALL OTHER CRIMINAL AND CIVIL HISTORY REPORTS:

The DCS child welfare worker will:

- Store reports in a central, locked filing cabinet. No copies of these reports are to be stored in investigation or case files.
- Share copies of such reports with authorized individuals upon request
 - a. Authorized individual include
 - i. The subject of the report.
 - ii. Any party to the case.
 - iii. Anyone for whom the subject has provided a release of information.

PRACTICE GUIDANCE

FORMS AND TOOLS

- [Tracking Access to National Criminal History and Juvenile History Reports](#)

RELATED INFORMATION

- N/A